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Texas Senate nears approval of voter ID bill

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Photo: Jay Janner/The Associated Press

Sen. Royce West (left) questions Sen. Troy Fraser during debate on Senate Bill 14, the Voter ID Bill, in the Senate Chamber at the Capitol in Austin on Tuesday.

By TERRENCE STUTZ Published 25 January 2011 05:44 AM



AUSTIN — Senate Republicans moved closer Tuesday to passage of a bill that would for the first time require Texans to show a photo ID before voting, while Democrats tried to build a case to challenge the measure if it becomes law.

Acting just days after Gov. Rick Perry declared the issue a state emergency, the GOP majority in the Senate gave preliminary approval to voter ID legislation, arguing that elections must be protected against fraud and that most Texans support the idea of verifying every voter's identity.

The 20-12 vote, which included one by Lt. Gov. David Dewhurst, was split along partisan lines. Senators will resume debate on the measure today.

"There is considerable national evidence of widespread voter fraud," said Sen. Troy Fraser, R-Horseshoe Bay, author of the bill. "In a close election, even a small amount of fraud could make the margin of difference. Elections are too important to leave unprotected."







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Fraser's bill would require a Texas voter to show a driver's license, state ID card, military ID, passport or citizenship ID to vote. The Republican senator said he would consider adding other photo IDs to the list, such as a concealed handgun license.

In addition, he indicated that supporters of the measure want an exemption for citizens who will be 70 or older by the end of the year. Those voters would continue to fall under existing law, which does not require a photo

Senate Democrats, meanwhile, spent hours Tuesday raising questions about the bill, suggesting it may not be able to win approval from the U.S. Justice Department, which must review all changes to Texas voting laws under the federal Voting Rights Act.

Among their arguments were the lack of evidence of voter identification fraud in Texas and the hardships that the photo ID mandate will impose on lower-income residents, minorities, the elderly and disabled.

"This bill prevents qualified voters from exercising their constitutional rights at the polls in the name of reducing fictional cases of fraud," said Sen. Wendy Davis, D-Fort Worth.

"I'm very afraid we're going to wind up disenfranchising thousands of Texas citizens who are now entitled to vote."

Other Democratic senators pointed to the difficulty many Texans will have if they have to meet the photo requirement by obtaining a state ID card. The card will be furnished for free.

Sen. Mario Gallegos, D-Galena Park, said Dallas has only one Department of Public Safety office and innercity Houston — inside the 610 Loop — has no DPS offices. Sen. Carlos Uresti, D-San Antonio, said some constituents in his Senate district running into southwest Texas will have to drive 175 to 200 miles to reach a DPS office to get a state ID.

Republicans discounted the criticisms, saying the proposal is similar to voter ID laws in Indiana and Georgia that have been upheld in the federal courts. The Indiana law was affirmed by the U.S. Supreme Court.

"There isn't a single person in Indiana or Georgia who has come forward and said they were disenfranchised by their state's voter ID law," said Sen. Tommy Williams, R-The Woodlands.

"We know there is some inconvenience, but we have done everything we can to make sure that inconvenience is mitigated. People should have to show they are who they say they are when they come to

Democrats were expected to propose several amendments to the bill, including a provision allowing a voter to substitute alternative, non-photo forms of identification.

But Republicans, who hold a 19-12 advantage in the Senate, have indicated they won't accept any type of identification that lacks a photo.

Among the invited witnesses during an all-day hearing on the bill were representatives of the Mexican American Legal Defense and Educational Fund and the Texas NAACP, who warned the law was too stringent and would adversely affect minority voters.

"Texas has a long history of voter discrimination against Latinos, and there is the feeling that this is part of a continuing effort to restrict their ability to vote," said Luis Figueroa of MALDEF. "If this is enacted, it would be the most restrictive photo ID requirement for voters in the nation."

On the other hand, the chief legal counsel for the Indiana secretary of state said the voter ID law there has worked well over the past five years.

"Despite the intense scrutiny of the law, in five years and eight statewide elections, there has been scant evidence of disenfranchisement or discrimination of voters," said Jerry Bonnet of the secretary of state's office. "The sun came up after Indiana's voter ID law passed, and the law has become routine."

A voter ID bill passed the Senate in 2009, but the legislation was never voted on in the House, where the chamber was almost evenly divided between Democrats and Republicans. This year, the House is expected to approve the measure thanks to its sizable GOP majority.

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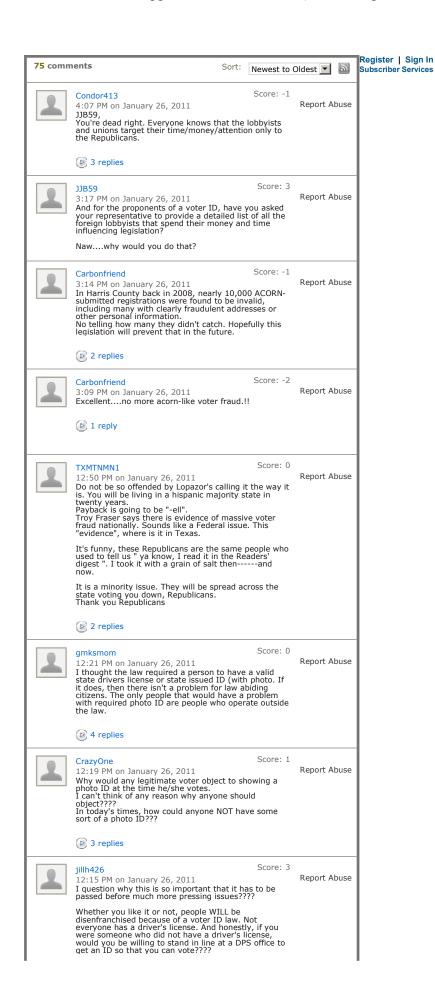
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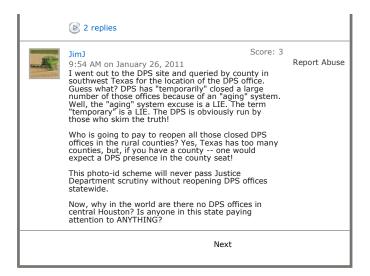
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